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General

PROPOSED JOINT RESOLUTION REGARDING EUROPEAN POSSESSIONS IN THE WESTERN HEMISPHERE

Letter From the Secretary of State to the Chairman of the House Committee on Foreign Affairs

[Released to the press June 4¹]

Following is the text of a letter from the Secretary of State, Mr. Cordell Hull, to the Honorable Sol Bloom, Chairman of the Committee on Foreign Affairs, House of Representatives:

"JUNE 4, 1940.

"MY DEAR MR. BLOOM:

"You have requested my comment on the attached proposed joint resolution regarding possessions in the Western Hemisphere belonging to European states.

"Several European states have had possessions in the Western Hemisphere for long periods of time and this Government has at no time undertaken to interfere with them. However, in keeping with its traditional policy, this Government must necessarily insist that such possessions shall not become the subject of barter or conquest between rival European powers or be made the scene of the settlement of European difficulties.

"The proposed resolution here in question recites (1) that the United States would not recognize any transfer and would not acquiesce in any attempt to transfer any geographic region of the Western Hemisphere from one non-American power to another non-American power and (2) that if such transfer or attempt to transfer should appear likely the United States would, in addition to other measures,

immediately consult with the other American Republics to determine upon the steps which should be taken to safeguard their common interests.

"The first part of the resolution is in effect a restatement of the position which this Government has consistently taken for more than a hundred years. The second part of it is a reaffirmation of the policy adopted in recent years of cooperation with the other American Republics in matters of common interest. I enclose for your information copies of (1) the Convention for the Maintenance, Preservation and Reestablishment of Peace signed at Buenos Aires in 1936,² to which the United States is a party, providing for consultation between the American Republics in the event that their peace is menaced; (2) the Declaration of the Principles of Solidarity of America signed at Lima in 1938, commonly referred to as the Declaration of Lima;³ and (3) the resolution adopted at Panama regarding the transfer of sovereignty of geographic regions of the Americas held by non-American states.⁴

"The proposed resolution is based squarely upon the idea of full respect for established sovereignties. It would not interfere in any

¹ Released by the Committee on Foreign Affairs.

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² Treaty Series No. 922.

³ See *Press Releases* of December 24, 1938 (Vol. XIX, No. 482), pp. 474-475.

⁴ See the *Bulletin* of October 7, 1939 (Vol. I, No. 15), p. 334.

way with continuance of equality of commerce and trade for all nations of the world in their relations with the countries of the American continents.

"Having in mind the foregoing, I heartily

approve the proposed resolution and am glad to be able to recommend its favorable consideration by the Congress.

"Sincerely yours,

CORDELL HULL"

♦ ♦ ♦ ♦ ♦

ENTRY OF ALIENS INTO THE UNITED STATES

[Released to the press June 6]

In view of the critical international situation, it has been found necessary to adopt a close supervision over aliens entering the United States. Various administrative changes in procedure have been placed in effect. Aliens desiring to come to the United States temporarily must establish a legitimate purpose or reasonable need for their presence in the United States and must establish that they will depart from the United States at the conclusion of their stay. They must present conclusive evidence that they will be admitted into the country of their nationality or some other foreign country to which they intend to return or proceed after departing from the United States. On and after July 1, 1940, all aliens, in addition to meeting other requirements, will be required to be in possession of passports or other documents of identity and nationality and have visas obtained from American consular officers abroad.

The exemption from passport and visa requirements previously extended to the following categories of persons entering the United States temporarily has been suspended, effective July 1, 1940, and on and after that date such persons will be subject to passport and visa requirements:

Citizens of Canada, Newfoundland, St. Pierre, Miquelon, Mexico, Cuba, Haiti, the Dominican Republic, Panama, Bermuda, or of any British, French, or Netherlands possession in the West Indies, domiciled therein, and to British subjects domiciled in Canada, Newfoundland, Bermuda, or any British possession in the West Indies, French citizens domiciled

in St. Pierre or Miquelon or any French possession in the West Indies, and to Netherlands subjects domiciled in any Netherlands possession in the West Indies.

It is contemplated that different regulations will be established with respect to persons who have entered the United States for permanent residence on immigration visas and who may be returning from a temporary absence abroad.

The foregoing regulations relate only to aliens entering the United States and do not require any additional documentation of American citizens proceeding to or returning from the territories mentioned.

[Released to the press June 5]

EXECUTIVE ORDER

Documents Required of Bona Fide Alien Seamen Entering the United States

By virtue of and pursuant to the authority vested in me by the act of May 22, 1918, 40 Stat. 559, as extended by the act of March 2, 1921, 41 Stat. 1205, 1217, I hereby prescribe the following regulations governing the entry of alien seamen into the United States:

PART I

Seamen whose occupational status as such is found to be bona fide, entering ports of the United States solely in pursuit of their calling as seamen, may be admitted temporarily in the discretion of the immigration authorities and under regulations prescribed by the department head charged with the administration of the immigration laws without passports or

visas if arriving in the United States under the following circumstances:

(a) Seamen who were members of the crew of an American vessel which has been sold and delivered abroad, when the contract of employment provides for the return of the crew, or the laws of the United States provide for their return to an American port.

(b) Seamen who have been lawfully admitted into the United States for permanent residence returning to the United States in accordance with the terms of the articles of outward voyage.

(c) Shipwrecked or cast-away seamen rescued by or transferred to a vessel bound to an American port.

(d) Seamen who are American consular passengers or are repatriated without expense to the United States Government following and in accordance with the terms of their discharge in a foreign port before an American consular officer, but who, for any reason, can not be considered as serving as seamen on the vessel on which they arrive at an American port.

PART II

Masters of maritime vessels (except government vessels and such other vessels as the Secretary of State, in his discretion, may indicate) of all nationalities sailing for a port of the United States must submit for visa a list of all the alien members of the vessel's crew to the American consular officer at the port from which the vessel commences its voyage. If there is no consular officer stationed at that port, but there is one stationed at a nearby place to whom the list may be submitted by mail for visa without delay of the vessel's departure, the list must be so submitted for visa. If there is no American consular officer stationed nearby, the list must be submitted for visa at the first port of call where an American consular officer is stationed, but if the vessel does not call at any such port then no visa of the crew list will be required. The visa of a

shipping commissioner in the Canal Zone shall be equivalent to the visa of an American consular officer, but consular agents are not authorized to visa crew lists. The visaed crew list must be delivered to the immigration authorities at the vessel's first port of call in the United States.

Alien seamen whose names are not on a visaed crew list when a visaed crew list is required of the vessel on which they arrive at a port of the United States shall not be allowed to land without the permission of the Secretary of State, except that for such seamen arriving at a port in the Virgin Islands the Governor thereof is authorized to grant such permission.

An alien seaman who is not exempt from the passport and visa requirements under Part I hereof shall be required to present an identifying travel document in the nature of a passport, showing his nationality and identity and bearing his fingerprints, before he may be granted shore leave for any purpose. The travel document shall be surrendered to the immigration authorities by each seaman at the time of landing and returned to him, upon personal application, at the time of departure.

As used in this order, the term "United States" shall include the territories of Alaska and Hawaii, the District of Columbia, Puerto Rico and the Virgin Islands.

The Secretary of State and the department head charged with the administration of the immigration laws are hereby authorized to make such additional rules and regulations, not inconsistent with this order, as may be deemed necessary for carrying out the provisions of this order and the statutes mentioned therein.

This order shall take effect immediately and shall supersede and cancel Executive Order No. 7797 of January 26, 1938, entitled "Documents Required of Bona Fide Alien Seamen Entering the United States".

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

June 5, 1940.

[No. 8429]

[Released to the press June 5]

EXECUTIVE ORDER

Documents Required of Aliens Entering the United States

By virtue of and pursuant to the authority vested in me by the act of May 22, 1918, 40 Stat. 559, as extended by the act of March 2, 1921, 41 Stat. 1205, 1217, I hereby prescribe the following regulations pertaining to documents required of aliens entering the United States (which regulations shall be applicable to Chinese and to Philippine citizens who are not citizens of the United States except as may be otherwise provided by special laws and regulations governing the entry of such persons):

PART I

1. Nonimmigrants must present unexpired passports or official documents in the nature of passports issued by the governments of the countries to which they owe allegiance or other travel documents showing their origin and identity, as prescribed in regulations issued by the Secretary of State, and valid passport visas, except in the following cases:

(a) A nonimmigrant alien coming within a category and domiciled in a country, island, or territory of the Western Hemisphere, specified in such regulations as may be issued by the Secretary of State, if passing in transit through the United States or entering the United States temporarily.

(b) A nonimmigrant alien lawfully admitted into the United States who later goes in transit from one part of the United States to another through foreign contiguous territory, if specified in regulations issued by the Secretary of State.

(c) A nonimmigrant alien child born subsequent to the issuance of the passport visa of an accompanying parent, the visa not having expired, if specified in regulations issued by the Secretary of State.

(d) An alien who has previously been legally admitted into the United States with a diplomatic visa or with a passport visa as a nonimmigrant as defined by section 3 (1) or

section 3 (6) of the Immigration Act of 1924 (43 Stat. 153, 154), who has maintained the status in which he was admitted and who has departed temporarily from the United States and returned within six months, having proceeded only to such countries, islands and territories of the Western Hemisphere as may be specified in regulations issued by the Secretary of State.

2. A nonimmigrant alien not included in any of the foregoing exceptions who is passing in transit through the United States may present, in lieu of a passport visa, a transit certificate granted by an authorized officer of the United States.

3. A nonimmigrant alien not included in any of the exceptions specified in the preceding paragraphs who enters the United States for a period not exceeding ten days, landing temporarily while the vessel on which he is a passenger is in port or crossing the border, entering and departing via the same port of entry, may present, in lieu of a passport visa, a limited entry certificate granted by an authorized officer of the United States.

4. The Secretary of State is authorized in his discretion to waive the passport and visa requirements in cases of emergency for nonimmigrants, except that the Governor of the Virgin Islands is authorized in his discretion to waive the requirements in cases of emergency for nonimmigrant aliens applying for admission at a port of entry of the Virgin Islands.

5. No passport visa, transit certificate, or limited entry certificate shall be granted to an alien whose entry would be contrary to the public safety or to an alien who is unable to establish a legitimate purpose or reasonable need for the proposed entry.

PART II

1. Immigrants must present unexpired passports, or official documents in the nature of passports, issued by the governments of the countries to which they owe allegiance, or other travel documents showing their origin and identity, prescribed in regulations issued by the Secretary of State, and valid immigration visas

granted by the consular officers of the United States in accordance with the requirements of the Immigration Act of 1924 and the regulations issued thereunder, except in the following cases:

(a) An alien immigrant child born subsequent to the issuance of the immigration visa of an accompanying parent, the visa not having expired.

(b) An alien immigrant child born during the temporary visit abroad of an alien mother who has previously been legally admitted into the United States for permanent residence, under such regulations as may be prescribed.

(c) An alien immigrant who has previously been legally admitted into the United States for permanent residence and who is the bearer of a border identification card issued by the immigration authorities, if specified in regulations issued by the Secretary of State.

(d) An alien immigrant who has previously been legally admitted into the United States for permanent residence, has departed temporarily from the United States and returned within six months, having proceeded only to such countries, islands, and territories of the Western Hemisphere as may be specified in regulations issued by the Secretary of State.

(e) An alien immigrant who has previously been legally admitted into the United States for permanent residence, reentering from a journey beginning in an American port, without transshipment from the original vessel to another vessel.

(f) An alien immigrant who has previously been legally admitted into the United States for permanent residence, has departed therefrom and has returned from a temporary visit abroad, and who presents an unexpired permit to reenter, issued pursuant to section 10 of the Immigration Act of 1924.

2. An immigrant Spanish national who on April 11, 1899 (whether adult or minor), was a bona fide resident of Puerto Rico or adjacent islands which comprised the Province of Puerto Rico, and who, in conformity with Article IX of the treaty between the United

States and Spain of April 11, 1899, has preserved his allegiance to Spain, may present a passport visa, in lieu of an immigration visa, for entry into Puerto Rico. Such aliens may be admitted into Puerto Rico without regard to the provisions of the Immigration Act of 1924, except section 23. (Act of May 26, 1926, ch. 400, 44 Stat. 657.)

3. In such classes of cases and under such conditions as may by regulations be prescribed, the immigration visa requirements may be waived, under section 13 (b) of the Immigration Act of 1924, and the passport requirements may also be waived, for an alien immigrant who has previously been legally admitted into the United States for permanent residence, has departed therefrom, and is returning from a temporary visit abroad.

4. In such classes of cases and under such conditions as may by regulations be prescribed by the Secretary of State, the passport requirements may be waived for any immigrant.

PART III

The Executive Secretary of the Panama Canal is hereby authorized to issue passport visas, transit certificates, limited entry certificates, and immigration visas to aliens coming to the United States from the Canal Zone. The Governor of American Samoa is hereby authorized to issue passport visas, transit certificates, limited entry certificates, and immigration visas to aliens coming to the United States from American Samoa. The Governor of Guam is hereby authorized to issue passport visas, transit certificates, limited entry certificates, and immigration visas to aliens coming to the United States from Guam.

PART IV

The documentary requirements for aliens applying for admission into American possessions outside the United States are to be prescribed by the competent authorities in such possessions, except in the case of the Philippine Islands, which are covered by separate executive order.

PART V

The definitions contained in section 28 of the Immigration Act of 1924 shall be regarded as applicable to this order, except as otherwise specified herein.

PART VI

The Secretary of State and the department head charged with the administration of the immigration laws are hereby authorized to make such additional rules and regulations, not inconsistent with this order, as may be deemed necessary for carrying out the provisions of this order and the statutes mentioned herein.

PART VII

This order shall take effect immediately and shall supersede and cancel the provisions of Executive Order No. 8029 of December 27, 1938 entitled "Documents Required of Aliens Entering the United States" but shall not supersede Executive Order No. 4049 of July 14, 1924 entitled "Documents Required of Aliens Entering the United States on Airships", or Executive Order No. 7797 of January 26, 1938 entitled "Documents Required of Bona Fide Alien Seamen Entering the United States".

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

June 5, 1940.

[No. 8430]

Europe

REPATRIATION OF AMERICAN CITIZENS

[Released to the press June 2]

The New York office of the United States Lines this afternoon informed the Department that the S. S. *President Roosevelt* had sailed from Galway, Ireland, at 6 p. m., London time, June 2, with 720 passengers, and that the S. S. *Manhattan* had sailed from Genoa, Italy, at 4:44 p. m., Greenwich time, June 2, with 705 first-class passengers and 1,200 third-class passengers.

Consul Francis H. Styles of the American consulate general at Dublin, who went to Galway to assist in the embarkation of passengers on the S. S. *President Roosevelt*, reported to the Department the afternoon of June 2 from Galway that the weather was perfect and everything satisfactory in connection with the embarkation.

The Department notified the belligerent governments that the ship had sailed.

[Released to the press June 3]

The American steamship *Charles R. McCormick* sailed from Bergen for the United States

at 6 p. m., June 1, 1940. All belligerent governments were notified on May 31 that the ship was expected to sail from Bergen on or about June 1 for direct return to the United States without cargo, unarmed, and without convoy. The vessel carries the American flag prominently displayed and proceeds fully lighted at night. Belligerent governments have been informed that the Government of the United States expects this vessel to make its westward voyage without interruption or molestation by the air, naval, or military forces of any belligerent.

[Released to the press June 6]

The Department of State announces that the steamship *Washington*, now at Bordeaux, will proceed to Lisbon to embark American citizens who desire to return to the United States. She will then proceed to a port in Ireland for the purpose of embarking several hundred additional American citizens who were unable to be accommodated aboard the *President Roosevelt*, and will proceed thence to New York.

Contrary to earlier expectations, she will not go to Genoa.

The steamship *President Roosevelt*, en route to New York from Ireland loaded with American citizens returning from the war zone, will discharge those passengers in New York and will then be released to resume her contract run to Bermuda.

The officials of the United States Lines are announcing that the steamship *Manhattan*, en route to the United States from Genoa with 2,000 passengers, will resume on arrival in New York, her regular sailings to Naples and Genoa, as will the steamship *Washington* on the completion of her repatriation voyage to Bordeaux, Lisbon, and Ireland.

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OFFICIAL REPORTS FROM WAR AREAS

[Released to the press June 3]

Ambassador Bullitt reported to the Department of State June 3 at 3 p. m., Paris time, that the city of Paris was bombed heavily that day and that he could not yet give an estimate of the dead and wounded.

Mr. Bullitt said that he had gone to attend a luncheon given by the Air Minister. The reception and dining rooms of the building where the luncheon was to be held are on the roof, with a balcony outside the reception room. Mr. Bullitt's report continued:

"Just before luncheon the air raid siren sounded, but since it seemed wholly improbable that the Germans would bombard the center of the city of Paris, instead of seeking the air raid shelter, we went out on the balcony to see the planes. A minute later a bomb dropped on a large field adjacent to the building, about one hundred yards from us. Another bomb dropped exactly on the roof of the reception room to which we had withdrawn. Obviously it did not explode. It is now being rendered harmless.

"Heavy bombs fell on all sides of the building and we went down to the air raid shelter amid flying glass and plaster. We were

obliged to remain in the shelter for a period of one hour. Two cars of guests at the luncheon were struck and burned up in the courtyard at the entrance of the building. My car was untouched and I was entirely uninjured."

[Released to the press June 3]

The Department of State the night of June 2 received the following telegram dated May 26, 1940, from the American Ambassador to Belgium, Mr. John Cudahy:

"Referring to previous telegrams sent since May 16 please reply via American Embassy Berlin.

"Consul General Sussdorff reported in person at Embassy May 22 that all members of Consulate General well; as far as known no American injured in the Antwerp area.

"Consulate here engaged in making survey of remaining Americans this area. As far as known they are all well. CUDAHY."

The above telegram was received by the American Embassy in Berlin through the German Foreign Office on June 2.

The American consul general at Marseille, Mr. John P. Hurley, reported on June 1 that Marseille was bombed in a raid which lasted 2 hours on June 1. The staff of the American consulate were all safe. No Americans were believed to have been injured.

[Released to the press June 4]

The Department of State received on June 4 a telegram dated May 29, 1940, relayed through the German Foreign Office and the American Embassy at Berlin, from the American consul at Brussels, Mr. Charles C. Broy, stating that 195 Americans were reported as having departed from Brussels just prior to and since May 10. He has had no report of casualties among the Americans remaining in the Brussels consular district. He is now engaged in making a survey.

The Department on June 3 had information from Consul General Louis Sussdorff, Jr., as of May 22, that so far as was known no Americans

had been injured in the Antwerp area. On May 26, Ambassador John Cudahy reported to the Department that so far as was known all Americans in the Brussels area were well.

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CONTRIBUTIONS FOR RELIEF IN BELLIGERENT COUNTRIES

[Released to the press June 3]

The following persons and organizations have registered with the Secretary of State for the solicitation and collection of contributions pursuant to section 8 of the Neutrality Act of 1939 to be used in belligerent countries for medical aid and assistance or for food and clothing to relieve human suffering (the countries to which contributions are being sent are given in parentheses):⁵

- 308. Fund for the Relief of Men of Letters and Scientists of Russia, 610 West One Hundred and Forty-third Street, New York, N. Y. (France, Czechoslovakia, and Poland)
- 309. North American Spanish Aid Committee, 55 West Forty-second Street, Room 1004, New York, N. Y. (France and the United Kingdom)
- 310. Le Souvenir Français, International Center, 2431 East Grand Boulevard, Detroit, Mich. (France and Belgium)
- 311. American Employment for General Relief, Inc., 505 East Sixteenth Street, New York, N. Y. (England, France, Norway, Poland, Belgium, Luxemburg, and the Netherlands)
- 312. Mr. Maxime Lévy, Lévy Hermanos, Inc., Manila, P. I. (France)
- 313. Norwegian Relief, Inc., 135 South La Salle Street, Chicago, Ill. (Norway)
- 314. British Sailors' Book and Relief Society, care of Mr. Donald Neville-Willing, 18 East Seventieth Street, New York, N. Y. (Bermuda, Canada, and British West Indies)
- 315. League of American Writers, Inc., 381 Fourth Avenue, New York, N. Y. (France, England, Poland, and Norway)
- 316. Scots' Charitable Society, 355 Newbury Street, Boston, Mass. (Scotland)
- 317. American Friends of a Jewish Palestine, 285 Madison Avenue, New York, N. Y. (Palestine, Germany, Poland, France, and the United Kingdom)

⁵ For prior registrants, see the *Bulletin* of April 27, 1940 (Vol. II, No. 44), pp. 443-450.

- 318. Central Bureau for Relief of the Evangelical Churches of Europe, 297 Fourth Avenue, New York, N. Y. (All belligerent countries)
- 319. Queen Wilhelmina Fund, Inc., Holland House, 10 Rockefeller Plaza, New York, N. Y. (The Netherlands; France; Poland; the United Kingdom, India, Australia, New Zealand, Canada, and the Union of South Africa; Norway; Belgium; and Luxemburg)
- 320. The Commission for Relief in Belgium, Inc., 420 Lexington Avenue, New York, N. Y. (Belgium and Luxemburg)
- 321. National Christian Action, Inc., 2 Park Avenue, Room 2005, New York, N. Y. (Norway)
- 322. Unitarian Service Committee of the American Unitarian Association, 25 Beacon Street, Boston, Mass. (France)
- 323. The Salvation Army, Inc., 122 West Fourteenth Street, New York, N. Y. (England, France, the Netherlands, Belgium, and Norway)
- 324. American Association of University Women, 1634 Eye Street, Washington, D. C. (France)
- 325. Anzac War Relief Fund, 405 Lexington Avenue, New York, N. Y. (Australia and New Zealand)
- 326. The Kosciuszko Foundation, Inc., 149-151 East Sixty-seventh Street, New York, N. Y. (Poland)
- 327. Belgian Relief of Southern California, 617 South Dunsmuir Avenue, Los Angeles, Calif. (Belgium)
- 328. American Civilian Volunteers, care of Mr. Wm. Brown Prescott, South Sudbury, Mass. (France)
- 329. Netherlands War Relief Committee, care of Wise & Company, Inc., 176 Juan Luna, Manila, P. I. (Netherlands)
- 330. Junior Relief Group of Texas, 1111 Main Street, Houston, Tex. (The United Kingdom, France, the Netherlands, Belgium, and Norway)

The American Republics

ADJUDICATION OF AGRARIAN CLAIMS IN MEXICO

[Released to the press June 2]

In a note addressed by the Department of State of the United States to the Mexican Ambassador in Washington under date of May 24, 1940, it was suggested that the period for the adjudication of agrarian claims of American citizens whose farm properties in Mexico have been expropriated since August 30, 1927, be

extended to June 30, 1940. In a note of the same date the Mexican Ambassador states that the Mexican Government agrees to this extension.

The Far East

JAPAN: DEATH OF PRINCE TOKUGAWA

[Released to the press June 6]

Upon instruction of the Secretary of State, the American Ambassador to Japan, Mr. Joseph C. Grew, has conveyed to the Minister of Foreign Affairs and to the family of the late Prince Tokugawa on behalf of the Secretary of State and the Government of the United States an expression of deep sympathy in the loss of a great humanitarian and statesman and one who has been widely known as an advocate of friendly and cooperative relations among nations.

Foreign Service

PERSONNEL CHANGES

[Released to the press June 8]

Changes in the Foreign Service of the United States since May 25, 1940:

Robert English, of Hancock, N. H., third secretary of legation and consul at Ottawa, Canada, has been designated second secretary of legation at Ottawa and will continue to serve in dual capacity.

Cecil B. Lyon, of New York, N. Y., third secretary of embassy at Santiago, Chile, has been designated second secretary of embassy at Santiago.

Randolph Harrison, Jr., of Lynchburg, Va., third secretary of embassy and consul at Rio de

Janeiro, Brazil, has been designated second secretary of embassy at Rio de Janeiro and will continue to serve in dual capacity.

Robert Janz, of Norman, Okla., consul at Bahia, Brazil, has been assigned for duty in the Department of State.

Woodruff Wallner, of New York, N. Y., vice consul at Paris, France, has been designated third secretary of embassy at Paris and will serve in dual capacity.

The assignment of Richard A. Johnson, of Moline, Ill., as vice consul at Barcelona, Spain, has been canceled. Mr. Johnson has now been assigned as vice consul at Naples, Italy.

Publications

DEPARTMENT OF STATE

Foreign Policy: Address by Breckinridge Long, Assistant Secretary of State, before the Forum on Foreign Policy and National Defense at the National Institute of Government, Washington, May 2, 1940. Publication 1462. 5 pp. 5¢.

Foreign Service List, April 1, 1940. Publication 1463. iv, 107 pp. Subscription, 50¢ a year; single copy, 15¢.

Extradition: Treaty Between the United States of America and Monaco.—Signed at Monaco February 15, 1939; proclaimed March 27, 1940. Treaty Series No. 959. 10 pp. 5¢.

OTHER GOVERNMENT AGENCIES

Geolexigraph of the Neutrality Act of 1939, by Samuel E. Perkins [together with an appendix containing the text of the act and proclamations, regulations, rulings, etc., under the act]. (Department of Commerce: Bureau of Foreign and Domestic Commerce, Division of Commercial Laws.) Comparative Law Series, May 1940, Vol. III, No. 5. 53 pp., map, charts. Subscription, \$1 a year; single copy 10¢.

Legislation

Joint Resolution Providing for the taking effect of Reorganization Plan Numbered V [transfer of Immigration and Naturalization Service to Department of Justice]. (Public Res. 75, 76th Cong., 3d sess.) 1 p. 5¢.

Commercial Policy

THE RECIPROCAL-TRADE-AGREEMENTS PROGRAM OF THE UNITED STATES

A General Statement

The reciprocal-trade-agreements program is based upon the Trade Agreements Act of June 12, 1934, which has been extended on two occasions for additional 3-year periods, from June 12, 1937, and from June 12, 1940.

WHY IT WAS ADOPTED

Purpose.—To increase foreign markets for products of the United States is the primary purpose of the trade-agreements program. This purpose is sought through reciprocal adjustment of excessive trade barriers.

Necessity.—Normally the United States can and does produce more of a great number of farm and nonfarm products than can be sold in the American market at remunerative prices. Surpluses of such production must either (1) be sold in other countries, (2) pile up in unmarketable carry-overs in this country, or (3) be sold by producers at ruinously low prices. Unless exported, such surpluses force down prices, create unemployment, and reduce the incomes of American producers.

Trade between nations declined sharply after 1929, largely because most nations, including the United States, set up excessive barriers to imports from other countries. By thus making it difficult for its people to buy things they needed and desired from other countries, each country made it difficult for its own producers to sell their exportable surpluses in other countries.

As world trade diminished, employment and incomes fell, and the world-wide economic depression was deepened and prolonged. Between 1929 and 1932 United States foreign trade dropped 69 percent, national income 50 percent, and gross farm income 55 percent.

Benefits of Foreign Trade.—Sound expansion of United States trade with foreign countries—

1. Directly benefits American producers whose goods are exported.
2. Improves domestic markets. Any American producer, farmer or nonfarmer, whose goods find a foreign market becomes a better customer for the goods of other American producers.
3. Increases the supplies available to American consumers at reasonable prices, of goods produced to better advantage in other countries or not produced in sufficient quantities or at all in the United States.

Foreign trade necessarily is two-way trade. This country cannot have the benefit of export trade unless it imports goods from other countries. The citizens of foreign countries can buy products only to the extent that they can acquire dollars to pay for them, and the only way they can acquire dollars is through the sale in this country of their products (including gold and silver) and services or by borrowing. Loans, even if available to them, merely postpone for a time the ultimate necessity for payment in the form of commodities or services.

HOW THE PROGRAM WORKS

Direct and separate negotiations with other countries is the method prescribed by the Trade Agreements Act for reducing excessive barriers to foreign trade. This method was chosen as more practicable and effective than general downward revision of the United States tariff alone. The latter method, even if feasible, would not insure the reciprocal reduction of foreign tariffs and other barriers against our export trade.

Method.—Specifically, the act empowers the President, in order to obtain concessions from

other countries on American products, to modify excessive United States tariff rates on foreign products; to bind existing tariff rates against increase; or to guarantee continued entry free of duty of products on the free list.

The act does *not* empower the President to modify tariff rates except under a trade agreement; it does *not* empower him to reduce the duty on any foreign product under trade agreements by more than 50 percent or to transfer any item from the dutiable list to the free list.

It *does* require trade agreements to be concluded only after the President has sought the advice of the Departments of State, Agriculture, and Commerce, the Tariff Commission, and other appropriate agencies of the Government, and only after public notice and full opportunity for presentation of information and views by any interested person.

All Government agencies concerned with foreign commerce cooperate in studying all pertinent facts and views before any trade agreement is concluded. The trade-agreement activities of the various Departments and agencies are carried on by means of interdepartmental committees and are coordinated in the Department of State.

Concessions Obtained.—The United States, in negotiating a trade agreement, asks a foreign country to lower its excessive tariff rates on our typical export products or to liberalize quotas or exchange restrictions on American products.

Such concessions and assurances against adverse changes have been obtained from important foreign customers of the United States with regard to hundreds of American products, both agricultural and nonagricultural, comprising nearly one-third of all United States exports.

Concessions Granted.—Under trade-agreements, the United States has agreed to tariff reductions or to the "binding" of existing tariffs or free entry in the case of imported products needed or desired by American industry or American consumers. Concessions on imported commodities similar to those produced in the United States are granted by this country only

after particularly exhaustive study indicates that such concessions can be made in the national interest without serious injury to the American producers concerned. When it appears necessary, tariff modifications on such products are limited by quotas which set upper limits on the imports permitted to enter at the reduced tariff rates or by restriction of tariff reductions to seasons when competing American products are not marketed in quantities sufficient to satisfy the demand.

"Most-Favored-Nation" Clause.—The traditional trade policy of the United States is not to discriminate between foreign nations, but to extend equality of tariff treatment to all who do not discriminate against the trade of this country. This policy is embodied in the Trade Agreements Act. Under it a concession on a given product in a trade agreement with a foreign nation (other than Cuba) applies also to the same product from any third nation, unless that third nation is found to discriminate against the products of the United States. The same treatment for United States products is naturally required of the other party to the trade agreement.

This policy of fair treatment on a reciprocal basis pays large dividends in dollars and cents to American exporters of agricultural and factory products who are thus protected against foreign tariff and other discriminations. It also avoids international ill feeling and thus promotes peaceful commercial relations.

WHAT THE PROGRAM HAS ACCOMPLISHED

Under the Trade Agreements Act the United States has concluded agreements with 21 foreign countries. These countries, in the order in which the agreements were signed, are: Cuba, Belgium, Haiti, Sweden, Brazil, Canada, the Netherlands, Switzerland, Honduras, Colombia, France and colonies, Guatemala, Nicaragua,⁶ Finland, El Salvador, Costa Rica, Czechoslovakia,⁷ Ecuador, the United Kingdom in-

⁶The reciprocal duty concessions and certain provisions of the agreement with Nicaragua ceased to be effective on March 10, 1938.

⁷The operation of the trade agreement with Czechoslovakia was suspended, effective April 22, 1939.

cluding Newfoundland and the British Colonial Empire, Turkey, and Venezuela. A second agreement with Canada, which entered into effect January 1, 1939, replaced the first agreement with that country, which had been in effect since January 1, 1936. In addition, a supplementary trade agreement has been negotiated with Canada and another with Cuba.

About 60 percent of the foreign trade of the United States is carried on with the countries with which reciprocal concessions are in effect in 19 trade agreements. The United Kingdom and Canada are, respectively, the largest and the second largest customers for American exportable surpluses.

Trade Increases.—The trade-agreements program has contributed in significant degree to increases in United States international commerce since the inauguration of the program. Of course, a number of other factors also have influenced both the volume and the nature of that trade. Among these factors, some of which have tended to enlarge and others to diminish international trade, have been wide fluctuations in agricultural production, both here and abroad; wars and preparations for war; and changes in general industrial and economic activity due to causes unrelated to foreign trade.

During the 2-year period 1934-35, United States total foreign trade averaged 4.1 billion dollars a year. In the 2-year period 1938-39 the average was 5.3 billion dollars.

That the trade-agreements program has contributed to the increase in our foreign trade may be seen from a comparison of United States trade with agreement and nonagreement countries.

In the 2-year period 1938-39, when there were 16 trade agreements in effect throughout the entire period, United States exports to the countries covered by these agreements averaged 62.8 percent greater than in 1934-35, when only 1 agreement was in force for a year or more, while our exports to all other countries increased by 31.2 percent. In addition to the 16 agreements in effect throughout 1938-39, 2 agreements, with the United Kingdom and with

Ecuador, were in effect throughout all of 1939. Our exports to the countries covered by the 18 agreements in effect throughout 1939 averaged 50.5 percent greater in 1938-39 than in 1934-35, while our exports to all other countries increased by only 31.7 percent.

Our imports from the 16 agreement countries averaged 21.6 percent greater in 1938-39 than in 1934-35, while our imports from other countries averaged 11.1 percent greater. Our imports from the countries covered by the 18 agreements increased by 17.8 percent and from all other countries by 12.5 percent during the same period.

The trend in trade with agreement and non-agreement countries in the 2-year period 1937-38, as compared with 1934-35, was somewhat similar. The increase in United States exports to the trade-agreement group of countries was greater than to the nonagreement group. However, in the case of imports, the increase in our trade with the nonagreement group was slightly greater than with the agreement group of countries because of the influence of certain factors not connected with the trade-agreements program, such as the severe drought of 1936 in this country.

These statistical comparisons reinforce the common-sense conclusion that the reduction of excessive tariffs and other barriers to the exchange of our exportable surpluses for those of other nations tends to support and enlarge the volume of our international commerce.

THE WAR AND THE PROGRAM

Effects of War.—Wartime trade controls and restrictions have been imposed by belligerent countries for the purpose of assisting them in their war effort and by certain nonbelligerent countries because of the dislocating effects of war on their trade. These measures have had adverse effects upon our export trade in certain products, particularly those not considered essential by the belligerent countries. On the other hand, our exports of certain other products, particularly those considered essential for war purposes, have been stimulated.

Although specific provisions of our trade agreements with a number of belligerent countries have been suspended temporarily as a result of war, the existence of the agreements helps to strengthen the position of the Government of the United States in its continuing efforts to mitigate as much as possible the adverse effects of wartime measures on American trade.

After the War.—Economic insecurity and depression, caused in part by excessive trade barriers and discriminatory trade policies, have been among the major causes of most wars, in-

cluding the one now going on in Europe. The tragic events now transpiring bear grim testimony to the need for keeping alive the liberal principles upon which the trade-agreements program is based. Such principles will be sorely needed to guide the nations in the task of economic reconstruction when the war has ended. If, in the future, international friction, hostilities, and war are to be avoided, these principles must prevail over the policies of extreme tariff protection and trade discriminations.

Treaty Information

Compiled by the Treaty Division

INTERNATIONAL LAW

Conference of Jurisconsults^a

The Conference of Jurisconsults, which met in Montevideo on July 18, 1939, for the purpose of revising the texts of the eight original treaties signed at Montevideo in 1889, adopted three treaties, namely, a Treaty on Asylum and Political Refugees, a Treaty on Intellectual Property (Copyright), and a Treaty on the Exercise of the Liberal Professions. The conference adjourned on August 4, 1939, to enable the delegates to study questions with respect to the proposed amendments to the treaties on Civil Law, Processal Law, Penal Law, Commercial Law, and Commercial Navigation. The Conference reconvened on March 6, 1940, with official delegates of Argentina, Bolivia, Brazil, Colombia, Chile, Paraguay, Peru, and Uruguay participating. Brazil and Colombia had not been represented at the first session of the Conference.

On March 19, 1940, the Conference concluded its deliberations, and the revised texts of the above-mentioned treaties were adopted.

The Treaty on Civil Law was signed by Argentina, Bolivia, Colombia, Paraguay, Peru with reservation, and Uruguay with reservation.

The Treaty on Penal Law was signed by Argentina with reservation, Bolivia, Brazil, Colombia, Paraguay, Peru, and Uruguay.

The Treaty on Processal Law was signed by Argentina with reservation, Bolivia, Brazil with reservation, Colombia, Paraguay, Peru, and Uruguay.

The Treaty on Commercial Law was signed by Argentina, Bolivia, Brazil with reservation, Colombia with reservation, Paraguay, Peru, and Uruguay.

The Treaty on Commercial Navigation was signed by Argentina, Bolivia with reservation, Brazil, Chile, Colombia, Paraguay, Peru, and Uruguay.

The Conference also adopted an Additional Protocol which was signed by Argentina, Bolivia, Brazil, Chile, Colombia, Paraguay, Peru with reservation, and Uruguay.

^a See the *Bulletin* of August 19, 1939 (Vol. I, No. 8), p. 144.

HEALTH

Convention Modifying the International Sanitary Convention of June 21, 1926

Afghanistan

The American Ambassador to France transmitted to the Secretary of State with a despatch dated May 13, 1940, a copy of a circular note from the French Ministry for Foreign Affairs stating that the instrument of ratification by Afghanistan of the Convention Modifying the International Sanitary Convention of June 21, 1926, signed at Paris on October 31, 1938, was deposited with the French Government on April 8, 1940.

LEGAL ASSISTANCE

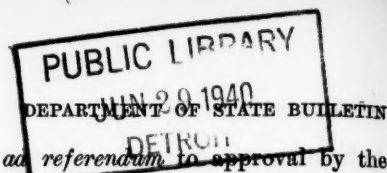
Protocol on Uniformity of Powers of Attorney Which Are To Be Utilized Abroad

Colombia

By a letter dated May 29, 1940, the Director General of the Pan American Union informed the Secretary of State that the Ambassador of Colombia at Washington signed *ad referendum* on May 25, 1940, in the name of his Government, the Protocol on Uniformity of Powers of Attorney Which Are To Be Utilized Abroad, opened for signature at the Pan American Union on February 17, 1940.

There is quoted below in translation the reservation made by the Ambassador when signing the protocol:

"The Plenipotentiary of Colombia signs the Protocol on the legal régime of Powers of



Attorney *ad referendum* to approval by the National Congress, making the reservation that the Legislation in Colombia, in Article 2590 of the Civil Code, provides that notaries are responsible only for the formal part and not for the substance of the acts and contracts which they authenticate."

Nicaragua

The Director General of the Pan American Union informed the Secretary of State by a letter dated May 31, 1940, that the Protocol on Uniformity of Powers of Attorney Which Are To Be Utilized Abroad, which was opened for signature at the Union on February 17, 1940, was signed on behalf of Nicaragua on May 27, 1940.

LABOR

Conventions of the International Labor Conference

Iraq

According to a despatch from the Minister Resident and Consul General to Iraq dated April 18, 1940, the adherence of Iraq to the Convention Concerning Equality of Treatment for National and Foreign Workers as Regards Workmen's Compensation for Accidents, adopted by the International Labor Conference at its seventh session, June 5, 1925, was approved by the Iraq Government on February 7, 1940, and the Royal Irada sanctioning the adherence was published in the Government Gazette No. 12 of March 24, 1940.

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